



Arizona State Board of Pharmacy

1700 W. Washington, Suite 250

Telephone (602) 771-2727 Fax (602) 771-2749

www.azpharmacy.gov

**NOTICE AND AGENDA OF A REGULAR MEETING
OF THE ARIZONA STATE BOARD OF PHARMACY**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Arizona State Board of Pharmacy (Board) and to the general public that the Board will hold a Regular meeting open to the public on:

**November 14 and 15 at 9:00 A.M.
Arizona State Board of Pharmacy Office
1700 W. Washington, Third Floor Board Room
Phoenix, AZ 85007**

One or more members of the Board may participate in the meeting by telephonic communications.

Title 2 of the Americans with Disability Act (ADA) prohibits the Board from discriminating on the basis of disability in its public meetings. Persons with a disability may request a reasonable accommodation by contacting Cheryl Frush, Deputy Director at (623) 463-2727 Ext. 128. Requests should be made as early as possible to allow time to arrange the accommodation.

During the course of the meeting, the Board, upon a majority vote of a quorum of the members, may hold an executive session for the purposes of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03 (A) (3); may hold an executive session on agenda items 5, 10, 11, and 12 for the purpose of discussion or consideration of confidential material pursuant to A.R.S. § 38-431.03 (A) (2). The executive session will be held immediately after the vote and will not be open to the public.

The agenda is subject to change up to 24 hours prior to the meeting. The Board President reserves the right to change the order of the items on the agenda, except for matters set for a specific time.

AGENDA

The Agenda for the meeting is as follows:

1. **Call to Order - President Van Hassel**
2. **Declaration of Conflicts of Interest**
3. **Discussion and Approval of Minutes**
(Regular Meeting – September 11 & 12, 2007)

ITEMS FOR BOARD REVIEW, DISCUSSION, AND LEGAL ACTION

4. **Consideration of Proposed Consent Agreement for Lisa Hunter – Case 08-0003-PHR**
5. **Hearings**
(See Schedule “A” – a detailed listing of hearings is posted with the agenda in the Board Office)
6. **Requests/Applications for Permits & Licenses**
(See Schedule “B” – a detailed listing of Requests/Applications for Permits & Licenses is posted with the agenda at the Board Office)
7. **Special Requests**
(See Schedule “C” – a detailed listing of special requests is posted with the agenda in the Board Office)
8. **License Applications Requiring Board Review**
(See Schedule “D” – a detailed listing of license applications requiring board review is posted with the agenda in the Board Office)
9. **Reports**
 - A. **Executive Director Report**
 1. Budget
 2. On-line Renewals
 - B. **Deputy Director Report**
 - C. **Pharmacist Assisting Pharmacist of Arizona Report**
 - D. **Arizona Pharmacy Alliance Report**
10. **Conferences**
(See Schedule “E” – a detailed listing of conferences is posted with the agenda in the Board Office)
11. **Complaint Review – Consideration of Complaints on Schedule “F” and Consideration of Consumer Complaint Committee Recommendations**
(See Schedule “F” – a detailed listing of complaints is posted with the agenda in the Board Office)
12. **Consent Agreements – Consideration of Proposed Consent Agreements**
(See Schedule “G” – a detailed listing of consent agreements is posted with the agenda in the Board Office)
13. **Pharmacy Technician Trainee Requests for Approval to Reapply for Licensure**
(See Schedule “H” – a detailed listing of pharmacy technician trainee requests is posted with the agenda in the Board Office)

14. **Proposed Rules and Substantive Policy Statement**
(See Schedule "I" – a detailed listing of proposed rules and substantive policy statement is posted with the agenda in the Board Office)
15. **Proposed Immunization Rule Changes – R4-23-411 (A)**
16. **Possible Legislative Changes for Next Year**
 - A. A.R.S. §32-1933 (A) – Display of License
 - B. A.R.S. §32-1961 and R4-23-604 (H) (I) (d) – Remove the requirement that a pharmacist must be present at a non-prescription drug manufacturer
17. **Overview of Border Governors Conference – Proposal to increase the safety and security of prescription drugs that are available across the United States and Mexico border**
18. **Update on Prescription Monitoring Program**
19. **Update on Southwest Meth Initiative – Richard Rosky**
20. **Overview of the Pharmacy Compounding Accreditation Board - Ken Baker and David Nicoletti**
21. **CE Approval Request – Ken Mitchell**
22. **Consideration of Amending Consent Agreement Previously Accepted and Agreed to by John O'Neil – Case 06-0011-PHR**
23. **Consideration of Amending Consent Agreement Previously Accepted and Agreed to by Thomas Branson – Case 07-0032-PHR**
24. **Approval of Board Meeting Dates for 2008**
25. **Department of Health and Human Services Letter to Boards of Pharmacy for Patient Information Evaluation**
26. **Call to the Public**

The Board may make an open call to the public during the meeting, subject to reasonable time, place, and manner restrictions, to allow individuals to address the Board on any issue within its jurisdiction. Pursuant to A.R.S. § 38-431.91 (G), members of the Board are not allowed to discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. However, the Board may ask staff to review a matter or may ask that a matter be placed on a future agenda.
27. **Discussion of Items to placed on future meeting agenda**
28. **Adjournment**

BEFORE THE ARIZONA STATE BOARD OF PHARMACY

November 14 & 15, 2007

Arizona State Board of Pharmacy Office
1700 W. Washington, Third Floor Board Room
Phoenix, AZ 85007

**SCHEDULE "A"
HEARING**

November 14, 2007 – 9:00 A.M.

1. Lisa Hunter - 08-0003-PHR

Prepared and Posted 11/9/2007CF

BEFORE THE ARIZONA STATE BOARD OF PHARMACY**November 14 & 15, 2007**

Arizona State Board of Pharmacy Office
1700 W. Washington, Third Floor Board Room
Phoenix, AZ 85007

SCHEDULE "B"

RESIDENT (Arizona) PHARMACY PERMITS	OWNER	PHARMACIST IN CHARGE
1. Summit Healthcare Association 2200 E. Show Low Lake Rd. Show Low, AZ 85901	Summit Healthcare Association	James Parkinson
2. Walgreens Pharmacy #09472 2707 W. Carefree Hwy Phoenix, AZ 85085	Walgreen Arizona Drug Co.	Shelly Jones
3. MedOne Healthcare, LLC 444 W. 21 st St., Suite 103 Tempe, AZ 85282	MedOne Healthcare, LLC (Ownership Change)	Michael Hearty
4. Tempe St. Luke's Hospital 1500 S. Mill Ave. Tempe, AZ 85281	St. Luke's Medical Center LP. (Ownership Change)	Prima Parker
5. Safeway Pharmacy #2799 2845 N. Vistancia Blvd. Peoria, AZ 85383	Safeway Inc.	Mindy Lind
6. UMC at Orange Grove 1891 W. Orange Grove Tucson, AZ 85704	University Medical Center (Ownership Change)	Not Designated
7. CVS/Pharmacy #7862 17050 N. Thompson Peak Pkwy. Scottsdale, AZ 85255	German Dobson CVS LLC	Not Designated
8. Walgreens Pharmacy #10260 3230 E. Chandler Heights Gilbert, AZ 85297	Walgreen Arizona Drug Co.	Matthew Becken
9. Medco Health Solutions of Scottsdale 14811 N. Kierland Blvd., Ste 600, Rm 109 Scottsdale, AZ 85254	Medco at Home, LLC	Roger Krohn
10. Wal-Mart Neighborhood Market Pharmacy #4603 5500 E. 22 nd St. Tucson, AZ 85711	Wal-Mart Stores	Not Designated

Prepared and Posted 11/9/2007CF

SCHEDULE "B" Cont.

RESIDENT (Arizona) PHARMACY PERMITS	OWNER	PHARMACIST IN CHARGE
11. CVS/Pharmacy #3383 7550 S. 19 th Ave. Phoenix, AZ 85041	Arizona CVS Stores, LLC	Not Designated
12. MyVetSentMe 15210 N. 75 th St. Scottsdale, AZ 85260	MyVetSentMe LLC	Lou Goldstein
13. Critical Care Systems 4645 Ash Avenue, Ste I-6 Tempe, AZ 85282	Medco Health Solutions (Ownership Change)	Robin Espiriti
14. Sam's Club Pharmacy 10-4829 2621 S. Market St. Gilbert, AZ 85295	Sams' West Inc.	Not Designated
15. Wal-Mart Neighborhood Market Pharmacy #10-4233 6550 W. Happy Valley Rd. Phoenix, AZ 85085	Wal-Mart Stores, Inc.	Not Designated
16. Wal-Mart Neighborhood Market Pharmacy #10-4218 15431 W. Greenway Rd. Surprise, AZ 85374	Wal-Mart Stores, Inc.	Not Designated
17. Wal-Mart Supercenter Pharmacy #10-4232 4747 E. Cactus Rd. Phoenix, AZ 85032	Wal-Mart Stores, Inc.	Not Designated
18. Humana RightSource Pharmacy 7333 S. Hardy Rd. Tempe, AZ 85283	Humana RightSource, Inc.	Steve Lerch

SCHEDULE "B" Cont.

NON -RESIDENT (Out of State) PHARMACY PERMITS	OWNER	PHARMACIST IN CHARGE
1. CDS Pharmacies 9371 Cypress Lake Dr., Suite #8 Fort Myers, FL 33919	CDS Pharmacies Corp.	Paul Hamilton
2. Amber Pharmacy 10004 S. 152 nd St. Omaha, NE 68138	Amber Enterprises	William Kaplan
3. VetSource Home Delivery 17014 N.E. Sandy Blvd. Portland, OR 97320	Strategic Pharmaceutical Solutions	Laura Hysen
4. Express Scripts 4415 Lewis Rd., Harrisburg, PA 17111	ESI Mail Pharmacy Service, Inc. (Ownership Change)	Elizabeth Carothers
5. Enclara Health 1480 Imperial Way West Deptford, NJ 08066	Enclara Health, LLC	Marjorie Chen
6. Independence Home Pharmacy II 1308 S. 12 th St. Murray, KY 42071	Soporex Respiratory II	Steve Compton
7. Pharmacia El Amanecer 1842 S. Blue Island Ave. Chicago, IL 60608	Pharmacia El Amanecer, Inc.	George Udeani
8. Direct Meds Pharmacy 345 Grand St. Leonia, NJ 07605	Direct Meds Inc.	Fong Cheung
9. Custom Compounding Pharmacy of America 3 Maple St. Kent, CT 06757	Custom Compounding Pharmacy of America, Inc.	Peter D'Aprile
10. Ridgeway Pharmacy, Ltd. 2824 US Hwy 93 N Victor, MI 59875	Ridgeway Pharmacy, Ltd.	Klinton Curtis
11. Walgreens Specialty Pharmacy, LLC 9775 SW Gemini Dr., Suite I Beaverton, OR 97008	Walgreens Specialty Pharmacy, LLC	Sherrie Cooper
12. Pharmaceutical Specialities, Inc. 4330 S. Manhattan Ave. Tampa, FL 33611	Pharmaceutical Specialities, Inc.	Christian Bost

Prepared and Posted 11/9/2007CF

SCHEDULE "B" Cont.

NON -RESIDENT (Out of State) PHARMACY PERMITS	OWNER	PHARMACIST IN CHARGE
13. Green Valley Drugs 6434 S. Arville St. Las Vegas, NV 89118	Scot Silber	Scot Silber
14. US Bioservices 2525 Perimeter Place Dr., #100 Nashville, TN 37214	IHS Acquisition XXX, Inc.	David Wixted
15. Corinthian Care Group 11550 IH 10 West #100 San Antonio, TX 78230	Judi McNeel, Charles McQueary	Allan Tsao

BEFORE THE ARIZONA STATE BOARD OF PHARMACY

November 14 & 15, 2007

Arizona State Board of Pharmacy Office
1700 W. Washington, Third Floor Board Room
Phoenix, AZ 85007

SCHEDULE "C"
SPECIAL REQUESTS

- | | | | |
|----|-----------------|---|--|
| 1. | Devang Pandit | - | Request to take the MPJE Exam for the fourth time |
| 2. | Judith Rosch | - | Request to terminate suspension per Board Order 07-0048-PHR and impose probation |
| 3. | Stan Kudish | - | Request to terminate suspension per Board Order 07-0039-PHR and impose probation |
| 4. | Robert Carranza | - | Request to terminate suspension per Board Order 08-0007-PHR and impose probation |
| 5. | Andrew Marek | - | Request to terminate probation per Board Order 07-00055-PHR |
| 6. | Denise Jordan | - | Request to terminate probation per Board Order 07-0001-PHR |
| 7. | Mark Forster | - | Request to terminate suspension per Board Order 02-0003-PHR |

BEFORE THE ARIZONA STATE BOARD OF PHARMACY

November 14 & 15, 2007

Arizona State Board of Pharmacy Office
1700 W. Washington, Third Floor Board Room
Phoenix, AZ 85007

SCHEDULE "D"

LICENSE APPLICATIONS REQUIRING BOARD REVIEW

- | | | | |
|----|------------------|---|--|
| 1. | Derek Cummings | - | Request to proceed with reciprocity
(Prior disciplinary action in Illinois) |
| 2. | Jeanmaric Hazard | - | Request to reinstate revoked Pharmacist License
(Revoked per Board Order 05-0019-PHR) |

BEFORE THE ARIZONA STATE BOARD OF PHARMACY

November 14 & 15, 2007

Arizona State Board of Pharmacy Office
1700 W. Washington, Third Floor Board Room
Phoenix, AZ 85007

SCHEDULE "E"

CONFERENCES

1. COMPLAINT #3343 - Cynthia Solski – Pharmacist - Respondent
Jerry Denney – Pharmacy Supervisor - Witness
2. COMPLAINT #3393 - Lupe Castillo – Pharmacist- Respondent
Carter Simpson – Pharmacy Supervisor - Witness
3. COMPLAINT #3394 - Bitu Esmaeilloo- Pharmacist - Respondent
Nancy Joy Davis – Pharmacy Technician- Respondent
Dan Johnson – Pharmacy Supervisor - Witness
4. COMPLAINT #3401 - Jamie Logsdon – Pharmacist – Respondent
Juana Castellanos-Alvarez – Pharmacy Technician - Respondent
Kim Baker – Pharmacy Supervisor - Witness
5. COMPLAINT #3409 - James Rehovsky – Pharmacist - Respondent
John Musil – Pharmacy Owner - Witness
6. COMPLAINT # 3412 - Krystal Hicks – Pharmacist - Respondent
Buck Stanford – Pharmacy Supervisor - Witness

BEFORE THE ARIZONA STATE BOARD OF PHARMACY

November 14 & 15, 2007

Arizona State Board of Pharmacy Office
1700 W. Washington, Third Floor Board Room
Phoenix, AZ 85007

SCHEDULE "F"

COMPLAINT REVIEW - LIST OF COMPLAINTS BEING REVIEWED

Complaint Number	Respondent (s)
1. #3391	1. Peter Massrock - Pharmacist
2. #3392	2. Amy Anderson - Pharmacist
3. #3395	3. Express Scripts - Albuquerque - Permit Holder
4. #3398	4. Express Scripts - Tempe - Permit Holder
5. #3405	5. Walgreens Mail Service - Permit Holder
6. #3406	6. Express Scripts - Albuquerque - Permit Holder
7. #3417	7. Express Scripts - Albuquerque - Permit Holder
8. #3420	8. Humana RightSource-Phoenix - Permit Holder
9. #3427	9. Robert Wilcox - Pharmacist
10. #3436	10. Kimberly Ritschel - Pharmacist, Nancy Alegria - Pharmacy Technician, Angelica Badillo - Pharmacy Technician
11. #3441	11. Eric Kesterson - Pharmacy Technician
12. #3442	12. David Martinez - Pharmacist
13. #3443	13. Steve Hardman - Pharmacist Phoenix Long Term Care Wholesale - Permit Holder Phoenix Long Term Care Pharmacy Korman Healthcare Pharmacy

Prepared and Posted 11/9/2007CF

BEFORE THE ARIZONA STATE BOARD OF PHARMACY

November 14 & 15, 2007

Arizona State Board of Pharmacy Office
1700 W. Washington, Third Floor Board Room
Phoenix, AZ 85007

SCHEDULE "G"
CONSENTS

- | | | | |
|----|---------------|---|-------------|
| 1. | James Green | - | 08-0012-PHR |
| 2. | Loren Dorstad | - | 08-0013-PHR |
| 3. | Angel Lin | - | 08-0014-PHR |

Prepared and Posted 11/9/2007CF

BEFORE THE ARIZONA STATE BOARD OF PHARMACY

November 14 & 15, 2007

Arizona State Board of Pharmacy Office
1700 W. Washington, Third Floor Board Room
Phoenix, AZ 85007

SCHEDULE "H"

Pharmacy Technician Trainee Requests to reapply for licensure

1. Mirjana Elez
2. Carolyn Bobeck
3. Rodney Grove
4. Catina Bell
5. Mary Kathleen Beach
6. Angela Moreno
7. Blaine Francis Scoles
8. Natalie Yeretina Vlahakis
9. Lawrence Solomon Garcia
10. Paula Ann Patty-Bryant
11. Judith Irene Otenburg
12. Lorenia Lopez
13. Teresa Ann Domenici
14. Shirley Kaye Alexander
15. Thomas Brannan
16. David Brown
17. Mark Kassees
18. Kyle Walker
19. Gaetana Michelin
20. Jesse Padilla
21. Joni Bowman
22. Kristen Sunderland
23. Justin Lindsay
24. Kevin Gill
25. O'Malley Oliveras
26. Cassandra Celaya
27. Thomas Thottumkal
28. Lisa Ziemianski
29. Cheryl Campbell
30. Amanda Pakay
31. Laurie Richardson
32. Benjamin Szafran
33. Jessica Parra
34. Nancy Jasso
35. Hoangvy Dinh
36. Manuel Maksumov
37. Amanda Abernathy

Prepared and Posted 11/9/2007CF

BEFORE THE ARIZONA STATE BOARD OF PHARMACY

November 14 & 15, 2007

Arizona State Board of Pharmacy Office
1700 W. Washington, Third Floor Board Room
Phoenix, AZ 85007

**SCHEDULE "I"
PROPOSED RULES**

PROPOSED RULES

- | | | | |
|----|-----------------------------------|---|---|
| 1. | R4-23-406 | - | Substitution of Prescription Drugs Rule
(Approval to Proceed with Rulemaking) |
| 2. | R4-23-110,501,502,503,504,
505 | - | Controlled Substances Prescription
Monitoring Program Rules
(Approval to Proceed with Rulemaking) |
| 3. | R4-23-404 | - | Unethical Practices
(Approval to Proceed with Rulemaking) |

Substantive Policy

- | | | | |
|----|--------|---|---|
| 4. | SPS 10 | - | Substituting Albuterol HFA Inhalers for
Albuterol CFC Inhalers |
|----|--------|---|---|